



The Journal OF THE *House of Representatives*

Number 23

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Messages from the Senate

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed SJR 2, by the required Constitutional three-fifths vote of all members elected to the Senate, and requests the concurrence of the House.

R. Philip Twogood, Secretary

By Senators Gaetz, Thrasher, Detert, Wise, Bennett, Fasano, Richter, Haridopolos, Baker, Negron, Dean, Gardiner, Constantine, Oelrich, Ring, Siplin, Alexander, Peaden, Storms, and Lynn—

SJR 2—A joint resolution proposing an amendment to Section 1 of Article IX and the creation of Section 31 of Article XII of the State Constitution to revise class size requirements for public schools and to provide an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 4, as amended, and requests the concurrence of the House.

R. Philip Twogood, Secretary

By the Policy and Steering Committee on Ways and Means; the Committee on Education Pre-K - 12; and Senators Detert, Thrasher, Wise, Gaetz, Richter, Storms, Peaden, Fasano, Negron, Altman, and Baker—

CS/CS/SB 4—A bill to be entitled An act relating to education accountability; amending s. 1003.413, F.S., relating to secondary school redesign, to delete obsolete provisions and to conform to changes made by the act; amending s. 1003.4156, F.S.; revising requirements for middle grades promotion; providing that successful completion of a high school level Algebra I, geometry, or Biology I course is not contingent upon a student's performance on the end-of-course assessment; requiring a student to pass the end-of-course assessment to earn high school credit for such courses; specifying information that must be provided to students as part of the personalized academic and career plan; amending s. 1003.428, F.S.; revising requirements for high school graduation; requiring students entering grade 9 in specified school years to meet end-of-course assessment requirements and revised credit requirements in mathematics and science for high school graduation; requiring credit in a virtual instruction course; providing a definition for the term "virtual instruction course"; requiring district school

board standards for grades in certain courses; providing for waiver of end-of-course assessment results for the purpose of receiving a course grade and credit for students with disabilities; amending s. 1003.429, F.S.; revising requirements for accelerated high school graduation options; updating cross-references; requiring students entering grade 9 in specified school years to meet end-of-course assessment requirements and revised credit requirements in mathematics and science for high school graduation; requiring credit in a virtual instruction course; providing a definition for the term "virtual instruction course"; requiring district school board standards for grades in certain courses; creating s. 1003.4295, F.S.; requiring high schools to advise students of, and offer, acceleration courses; creating the Credit Acceleration Program; amending s. 1003.493, F.S., relating to career and professional academies, to conform to changes made by the act; amending s. 1007.35, F.S., relating to the Florida Partnership for Minority and Underrepresented Student Achievement, to conform to changes made by the act; amending s. 1008.22, F.S.; revising the statewide student achievement testing program; requiring end-of-course assessments in mathematics and science to replace FCAT Mathematics and FCAT Science beginning with students entering grade 9 in specified school years; providing requirements for the administration of, and student performance on, statewide, standardized end-of-course assessments in mathematics and science; providing for establishment of an implementation schedule to develop and administer end-of-course assessments in certain courses; requiring evaluation and reporting of the transition to specified end-of-course assessments; requiring the use of scaled scores and student achievement levels for describing student success on assessments; requiring the State Board of Education to designate passing scores for end-of-course assessments and scores that indicate high achievement; providing requirements for retaking specified assessments; providing for waiver of end-of-course assessment requirements for students in exceptional education programs and students who have limited English proficiency; revising provisions relating to testing and reporting schedules; requiring that the Commissioner of Education consider the observance of religious and school holidays when establishing the schedules for the administration of statewide assessments; conforming provisions and cross-references; authorizing the State Board of Education to adopt concordant scores for the FCAT and equivalent scores for end-of-course assessments; deleting retake requirements for use of concordant scores; providing requirements for use of equivalent scores; amending s. 1008.25, F.S., relating to public school student progression, to conform to changes made by the act; amending s. 1008.30, F.S., relating to the common placement test, to conform to changes made by the act; amending s. 1008.34, F.S.; revising provisions that specify the basis for determining school grades to include student performance on end-of-course assessments and to conform provisions to current FCAT assessments; amending s. 1008.341, F.S.; revising provisions that specify the basis for determining an alternative school's school improvement rating to include student performance on end-of-course assessments; amending s. 1008.36, F.S.; revising provisions relating to the use of school recognition awards; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study on the different types of high

school diplomas offered in other states; requiring that the study be submitted to the Governor and the Legislature by a specified date; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 6, as amended, and requests the concurrence of the House.

R. Philip Twogood, Secretary

By the Policy and Steering Committee on Ways and Means; the Committee on Education Pre-K - 12; and Senators Thrasher, Gaetz, Detert, Wise, Constantine, Richter, Peaden, Storms, and Baker—

CS/CS/SB 6—A bill to be entitled An act relating to education personnel; amending s. 39.202, F.S.; authorizing the release of child abuse records to certain employees and agents of the Department of Education; amending s. 447.403, F.S.; deleting a provision that provides for an expedited impasse hearing for disputes involving the Merit Award Program plan to conform to changes made by the act; amending s. 1002.33, F.S.; requiring a charter school to adopt a salary schedule for instructional personnel and school-based administrators which meets certain requirements; providing that charter schools must meet certain requirements for end-of-course assessments, performance appraisals, and certain contracts; deleting a cross-reference to conform to changes made by the act; requiring that the Commissioner of Education review certain charter schools for compliance with the requirements for a salary schedule, assessments, and contracts; requiring a specified funding adjustment to be imposed against a charter school that is not in compliance; amending s. 1003.52, F.S.; deleting a cross-reference to conform to changes made by the act; repealing s. 1003.62, F.S., relating to academic performance-based charter school districts; amending s. 1003.621, F.S.; providing additional requirements for personnel in academically high-performing school districts; repealing s. 1003.63, relating to the deregulated public schools pilot program; amending s. 1004.04, F.S.; revising the criteria for continued approval of teacher preparation programs to include student learning gains; deleting the waiver of admissions criteria for certain students; deleting the criterion relating to employer satisfaction; revising the requirements for a teacher preparation program to provide additional training to a graduate who fails to demonstrate essential skills; deleting a provision that requires state-approved teacher preparation programs and public and private institutions offering training for school-readiness-related professions to report graduate satisfaction ratings; revising the requirements for preservice field experience programs; repealing s. 1004.04(11) and (12), F.S., relating to the Preteacher and Teacher Education Pilot Programs and the Teacher Education Pilot Programs for High-Achieving Students; amending s. 1004.85, F.S.; revising the requirements for individuals who participate in programs at postsecondary educator preparation institutes; revising the requirements for approved alternative certification programs and instructors; creating s. 1008.222, F.S.; requiring school districts to develop and implement end-of-course assessments; requiring a review of assessments by the Commissioner of Education; amending s. 1009.40, F.S.; deleting cross-references to conform to changes made by the act; repealing s. 1009.54, F.S., relating to the Critical Teacher Shortage Program; repealing s. 1009.57, F.S., relating to the Florida Teacher Scholarship and Forgivable Loan Program; repealing s. 1009.58, F.S., relating to the Critical Teacher Shortage Tuition Reimbursement Program; repealing s. 1009.59, F.S., relating to the Critical Teacher Shortage Student Loan Forgiveness Program; amending s. 1009.94, F.S.; deleting cross-references to conform to changes made by the act; creating s. 1011.626, F.S.; providing legislative findings and intent; creating the Performance Fund for Instructional Personnel and School-Based Administrators; providing for calculation of the fund amount; providing for distribution of funds to districts and specifying purposes for which funds may be expended; providing for

reversion of unexpended funds; specifying that salary increases from these funds are in addition to other salary adjustments; specifying requirements for individuals paid from federal grants; requiring that each district school board submit its district adopted salary schedule and certain assessments to the Commissioner of Education for review; requiring that the commissioner determine compliance with requirements applicable to the schedules and assessments; requiring a review by the Auditor General of certain classroom teacher contracts; requiring that the Commissioner of Education notify the Governor and Legislature of school districts that fail to comply with salary schedule, assessment, and contract requirements; requiring a specified funding adjustment to be imposed against a school district for such failure to comply; requiring that the State Board of Education adopt rules; amending s. 1011.69, F.S.; deleting a provision that exempts academic performance-based charter school districts from the Equity in School-Level Funding Act to conform to changes made by the act; amending s. 1012.05, F.S.; revising the Department of Education's responsibilities for teacher recruitment; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; deleting cross-references to conform to changes made by the act; amending s. 1012.22, F.S.; revising the powers and duties of the district school board with respect to school district compensation and salary schedules; requiring that certain performance criteria be included in the adopted schedules; revising the differentiated pay provisions; repealing s. 1012.225, F.S., relating to the Merit Award Program for Instructional Personnel and School-Based Administrators; repealing s. 1012.2251, F.S., relating to the end-of-course examinations for the Merit Award Program; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain educational personnel; requiring a district school board's decision to retain personnel who have continuing contracts or professional service contracts to be primarily based on the employee's performance; deleting requirements that school board decisions for workforce reductions be based on collective bargaining agreements; deleting requirements for district school board rules for workforce reduction; creating s. 1012.335, F.S.; providing definitions; providing employment criteria for newly hired classroom teachers; providing grounds for termination; requiring that the State Board of Education adopt rules defining the term "just cause"; providing guidelines for such term; amending s. 1012.34, F.S.; revising provisions related to the appraisal of instructional personnel and school-based administrators; requiring that the Department of Education approve school district appraisal instruments; requiring the Department of Education to collect appraisal information from school districts and to report such information to the Governor and the Legislature; providing requirements for appraisal systems; authorizing an employee to request that a district school superintendent review an unsatisfactory performance appraisal; conforming provisions to changes made by the act; amending s. 1012.42, F.S.; prohibiting a district school board from assigning a new teacher to teach reading, science, or mathematics if he or she is not certified in those subject areas; repealing s. 1012.52, F.S., relating to legislative intent for teacher quality; amending s. 1012.56, F.S.; revising the certification requirements for persons holding a valid professional standard teaching certificate issued by another state; providing additional means of demonstrating mastery of professional preparation and education competence; requiring that the State Board of Education review the current subject area examinations and increase the scores necessary for achieving certification; authorizing the State Board of Education to adopt rules to allow certain college credit to be used to meet certification requirements; amending s. 1012.585, F.S.; providing for future expiration of provisions governing certification of teachers who hold national certification; revising the renewal requirements for a professional certificate; providing additional requirements that must be met in order to renew the certificate; requiring that the State Board of Education adopt rules for the renewal of a certificate held by a certificateholder who has not been evaluated under s. 1012.34, F.S.; amending s. 1012.72, F.S.; limiting bonuses under the Dale Hickam Excellent Teaching Program to individuals who remain continuously employed in a public school in this state or the Florida School for the Deaf and the Blind; amending s. 1012.79, F.S.; revising the composition of the Education Practices Commission; conforming provisions to changes made by the act; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; requiring that the Department of Education submit a report on the

cost-effectiveness of teacher preparation programs to the Governor and the Legislature by a specified date; specifying the report requirements; requiring that the Office of Program Policy Analysis and Government Accountability submit recommendations to the Legislature relating to changes in the criteria for the continued approval of teacher preparation programs; authorizing school districts to seek an exemption from the State Board of Education from the requirement of certain laws; authorizing the State Board of Education to adopt rules; providing for severability; providing for application of a specified provision of the act; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Larry Cretul, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 2126, as amended, and requests the concurrence of the House.

R. Philip Twogood, Secretary

By the Committee on Finance and Tax; and Senators Negron, Altman, Storms, Peaden, Oelrich, Lawson, Gaetz, Lynn, Fasano, Siplin, Baker, Gardiner, Bennett, Thrasher, Wise, Haridopolos, Alexander, Crist, and Richter—

CS/SB 2126—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; transferring, renumbering, and amending s. 220.187, F.S.; revising definitions; making operation of the program contingent upon available funds; revising certain eligibility criteria; revising tax credit grant provisions; specifying a tax credit cap; providing for increasing the tax credit cap under certain circumstances; providing application procedures and requirements; providing for unused amounts of tax credits to be carried forward; providing application requirements; providing limitations on conveying, assigning, or transferring tax credits; revising provisions governing the rescission of taxpayer tax credits; deleting a prohibition against claiming certain multiple tax credits; specifying additional obligations for eligible nonprofit scholarship-funding organizations relating to development and review of certain accounting procedures and guidelines; providing reporting requirements; limiting private school participation eligibility to certain grades; requiring private schools to annually contract with accountants to perform certain procedures; providing reporting and procedural requirements; revising certain obligations of the Department of Education; specifying additional requirements for certain independent research organizations; providing responsibilities of the Department of Education; deleting certain requirements for independent research organizations; authorizing the Commissioner of Education to deny, suspend, or revoke private school program participation under certain circumstances; providing requirements and criteria; revising limitations on annual amounts of scholarships provided; deleting certain corporate tax credit carryforward authority; revising certain rulemaking authority; providing for severability and for preserving certain additional tax credits; creating s. 211.0251, F.S.; providing for a credit against the oil and gas production tax for certain program contributions; requiring the Department of Revenue to disregard certain tax credits for certain purposes; providing for application; creating s. 212.1831, F.S.; providing for a credit against sales and use tax for certain program contributions; requiring the Department of Revenue to disregard certain tax credits for certain purposes; providing for application; amending s. 213.053, F.S.; expanding the authority of the Department of Revenue to disclose certain information; amending s. 220.13, F.S.; revising the determination of additions to adjusted federal income; providing intent; providing for construction of certain provisions; providing for retroactive application; creating s. 220.1875, F.S.; providing for a credit against the corporate income tax for certain program contributions; providing limitations; providing for adjustments; providing for application; creating s. 561.1211, F.S.; providing for a credit against certain alcoholic beverage taxes for certain contributions; requiring the Department of Revenue to disregard

certain tax credits for certain purposes; providing for application; amending ss. 220.02, 220.186, 624.51055, 1001.10, 1002.20, 1002.23, 1002.39, 1002.421, 1006.061, 1012.315, and 1012.796, F.S.; conforming cross-references to changes made by the act; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation to the Department of Revenue to implement the act; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

Introduction and Reference

By Representative Coley—

HB 1635—A bill to be entitled An act relating to Panama City–Bay County Airport and Industrial District; amending chapter 2005-311, Laws of Florida; revising definitions; adding one member to the district governing board who will represent Walton County and be appointed by the Walton County Commission; providing the term for such member; adding two board members who will represent Panama City Beach and be appointed by the Panama City Beach City Council; providing terms for such members; providing for subsequent appointment procedures for such members; revising the quorum requirement; providing that indebtedness of the district for bonds issued shall not be considered a debt of a city or county; providing that issuance of revenue bonds by the district shall not obligate a city or county to levy any ad valorem taxes or to make any appropriations for their payment or for the operation and maintenance of the facilities of the district; providing an effective date.

Proof of Publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Military & Local Affairs Policy Committee and Economic Development & Community Affairs Policy Council.

By the Energy & Utilities Policy Committee; Representative Precourt—

HB 7211—A bill to be entitled An act relating to public records; amending s. 364.183, F.S.; providing the Office of Regulatory Staff within the Financial Services Commission access to specified records of telecommunications companies and their affiliates; limiting the authority of the Public Service Commission to access records; providing that records received by the office which are claimed by the telecommunications company or other person providing the records as proprietary confidential business information are, upon request, confidential and exempt from public records requirements; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; amending s. 366.093, F.S.; providing the Office of Regulatory Staff access to specified records of public utilities and their affiliates; limiting the authority of the Public Service Commission to access records; providing that records received by the office which are shown by the public utility or other person providing the records and found by the commission to be proprietary confidential business information are, upon request, confidential and exempt from public records requirements; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; amending s. 367.156, F.S.; providing the Office of Regulatory Staff access to specified records of utilities and their affiliates; limiting the authority of the Public Service Commission to access records; providing that records received by the office which are shown by the utility or other person providing the records and found by the commission to be proprietary confidential business information are, upon request, confidential and exempt from public records requirements; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; amending s. 368.108, F.S.; providing the Office of Regulatory Staff access to specified records of natural gas transmission companies and their affiliates; limiting the authority of the

Public Service Commission to access records; providing that records received by the office which are shown by the natural gas transmission company or other person providing the records and found by the commission to be proprietary confidential business information are, upon request, confidential and exempt from public records requirements; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a finding of public necessity; providing a contingent effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Braynon—

HR 9059—A resolution recognizing the 2009 Miramar High School Football Team, winners of the Florida High School Athletic Association Class 6A State Championship.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative Hays—

HR 9061—A resolution recognizing April 7, 2010, as "Dentists' Day on the Hill."

First reading by publication (Art. III, s. 7, Florida Constitution).

First Reading of Council and Committee Substitutes by Publication

By the Agriculture & Natural Resources Policy Committee; Representatives Kriseman, Anderson, Heller, Long, Pafford, Reed, Rehwinkel Vasilinda, and Soto—

CS/HB 207—A bill to be entitled An act relating to contamination notification; amending s. 376.30702, F.S.; revising contamination notification provisions; requiring individuals responsible for site rehabilitation to provide notice of site rehabilitation to specified entities; revising provisions relating to the content of such notice; requiring the Department of Environmental Protection to provide notice of site rehabilitation to specified entities and certain property owners; requiring the department to verify compliance with notice requirements; authorizing the department to pursue enforcement measures for noncompliance with notice requirements; revising the department's contamination notification requirements for certain public schools; requiring the department to provide specified notice to certain private schools, child care facilities, and public and private colleges and universities; requiring the department to provide specified notice to public schools and public and private colleges and universities within specified areas; providing notice requirements, including directives to extend such notice to certain other persons; requiring the department to provide a list of sites under rehabilitation to specified entities; requiring local governments to provide specified notice to homeowners' and neighborhood associations; authorizing the department to recover notification costs from responsible parties under certain conditions; revising rulemaking authority; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development & Community Affairs Policy Council; Representatives Reagan and Ambler—

CS/HB 265—A bill to be entitled An act relating to property taxation; amending s. 95.051, F.S.; tolling the statute of limitations relating to proceedings involving tax lien certificates or tax deeds by the period of an intervening bankruptcy; amending s. 193.023, F.S.; requiring a property appraiser to physically inspect property upon request of a certificateholder; amending s. 196.1995, F.S.; providing that the authority of the governing body of a county or municipality to grant certain ad valorem tax exemptions

may be renewed for multiple 10-year periods upon approval by referendum; amending ss. 197.102, 197.122, 197.123, 197.162, 197.172, 197.182, 197.222, 197.2301, 197.322, 197.332, 197.343, 197.344, 197.3635, 197.373, 197.374, 197.402, 197.403, 197.413, 197.414, 197.4155, 197.416, 197.417, 197.432, 197.4325, 197.442, 197.443, 197.462, 197.472, 197.473, 197.482, 197.492, 197.552, 197.582, and 197.602, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to definitions, tax collectors, lien of taxes, returns and assessments, unpaid or omitted taxes, discounts, interest rates, Department of Revenue responsibilities, tax bills, judicial sales, prepayment of taxes, assessment rolls, duties of tax collectors, tax notices, delinquent taxes, lienholders, special assessments, non-ad valorem assessments, tax payments, distribution of taxes, advertisements of property with delinquent taxes, attachment, delinquent personal property taxes, sales of property, tax certificates, tax deeds, tax sales, and proceedings involving the validity of a tax deed; amending s. 197.502, F.S.; revising provisions relating to applications for tax deeds; providing notice requirements; providing payment requirements; authorizing the tax collector to charge a fee to cover the costs to the tax collector for electronic tax deed programs or services; authorizing the tax collector to charge the county a fee for tax deed applications; revising conditions for the escheat of property to a county; amending s. 197.542, F.S.; limiting the circumstances under which a tax deed sale may be canceled; amending s. 197.522, F.S.; providing notice requirements for the sale of homestead property due to nonpayment of taxes; creating s. 197.146, F.S.; authorizing tax collectors to issue certificates of correction to tax rolls and outstanding delinquent taxes for uncollectable personal property accounts; requiring the tax collector to notify the property appraiser; providing construction; creating ss. 197.2421 and 197.2423, F.S., transferring, renumbering, and amending ss. 197.253, 197.303, and 197.3071, F.S., and amending ss. 197.243, 197.252, 197.254, 197.262, 197.263, 197.272, 197.282, 197.292, 197.301, and 197.312, F.S.; revising, updating, and consolidating provisions of ch. 197, F.S., relating to deferral of tax payments for real property, homestead property, recreational and commercial working waterfront property, and affordable rental property; creating s. 197.4725, F.S.; providing authorization and requirements for purchase of county-held tax certificates; specifying required amounts to be paid; providing for fees; providing for electronic services; amending s. 192.0105, F.S.; providing conditions under which a taxpayer is deemed to have waived a right to know; providing that the right to a discount for the early payment of taxes does not apply to certain partial payments of taxes; revising a provision for a taxpayer's right to redeem real property and tax certificates; revising a provision that a property owner may not be contacted by the holder of a tax certificate for 2 years following the date the certificate is issued; providing that s. 197.122, F.S., applies in certain circumstances; providing for the obligation of the property owner to obtain certain information; correcting cross-references; amending ss. 194.011, 194.013, and 196.011, F.S.; correcting cross-references; creating s. 197.603, F.S.; providing legislative intent; repealing s. 197.202, F.S., relating to destruction of 20-year-old tax receipts; repealing s. 197.242, F.S., relating to a short title; repealing ss. 197.304, 197.3041, 197.3042, 197.3043, 197.3044, 197.3045, 197.3046, 197.3047, 197.307, 197.3072, 197.3073, 197.3074, 197.3075, 197.3076, 197.3077, 197.3078, and 197.3079, F.S., relating to deferrals of tax payments; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health Care Appropriations Committee; and Health Care Regulation Policy Committee; Representatives Hudson, Adkins, Crisafulli, and T. Williams—

CS/CS/HB 1143—A bill to be entitled An act relating to the reduction and simplification of health care provider regulation; amending s. 112.0455, F.S., relating to the Drug-Free Workplace Act; deleting an obsolete provision; amending s. 318.21, F.S.; revising distribution of funds from civil penalties imposed for traffic infractions by county courts; amending s. 381.0072, F.S.; limiting Department of Health food service inspections in nursing homes; requiring the department to coordinate inspections with the Agency for Health Care Administration; repealing s. 383.325, F.S., relating to

confidentiality of inspection reports of licensed birth center facilities; amending s. 395.002, F.S.; revising and deleting definitions applicable to regulation of hospitals and other licensed facilities; conforming a cross-reference; amending s. 395.003, F.S.; deleting an obsolete provision; conforming a cross-reference; amending s. 395.0193, F.S.; requiring a licensed facility to report certain peer review information and final disciplinary actions to the Division of Medical Quality Assurance of the Department of Health rather than the Division of Health Quality Assurance of the Agency for Health Care Administration; amending s. 395.1023, F.S.; providing for the Department of Children and Family Services rather than the Department of Health to perform certain functions with respect to child protection cases; requiring certain hospitals to notify the Department of Children and Family Services of compliance; amending s. 395.1041, F.S., relating to hospital emergency services and care; deleting obsolete provisions; repealing s. 395.1046, F.S., relating to complaint investigation procedures; amending s. 395.1055, F.S.; requiring licensed facility beds to conform to standards specified by the Agency for Health Care Administration, the Florida Building Code, and the Florida Fire Prevention Code; amending s. 395.10972, F.S.; revising a reference to the Florida Society of Healthcare Risk Management to conform to the current designation; amending s. 395.2050, F.S.; revising a reference to the federal Health Care Financing Administration to conform to the current designation; amending s. 395.3036, F.S.; correcting a reference; repealing s. 395.3037, F.S., relating to redundant definitions; amending ss. 154.11, 394.741, 395.3038, 400.925, 400.9935, 408.05, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; revising references to the Joint Commission on Accreditation of Healthcare Organizations, the Commission on Accreditation of Rehabilitation Facilities, and the Council on Accreditation to conform to their current designations; amending s. 395.602, F.S.; revising the definition of the term "rural hospital" to delete an obsolete provision; amending s. 400.021, F.S.; revising the definition of the term "geriatric outpatient clinic"; amending s. 400.063, F.S.; deleting an obsolete provision; amending ss. 400.071 and 400.0712, F.S.; revising applicability of general licensure requirements under pt. II of ch. 408, F.S., to applications for nursing home licensure; revising provisions governing inactive licenses; amending s. 400.111, F.S.; providing for disclosure of controlling interest of a nursing home facility upon request by the Agency for Health Care Administration; amending s. 400.1183, F.S.; revising grievance record maintenance and reporting requirements for nursing homes; amending s. 400.141, F.S.; providing criteria for the provision of respite services by nursing homes; requiring a written plan of care; requiring a contract for services; requiring resident release to caregivers to be designated in writing; providing an exemption to the application of discharge planning rules; providing for residents' rights; providing for use of personal medications; providing terms of respite stay; providing for communication of patient information; requiring a physician order for care and proof of a physical examination; providing for services for respite patients and duties of facilities with respect to such patients; conforming a cross-reference; requiring facilities to maintain clinical records that meet specified standards; providing a fine relating to an admissions moratorium; deleting requirement for facilities to submit certain information related to management companies to the agency; deleting a requirement for facilities to notify the agency of certain bankruptcy filings to conform to changes made by the act; amending s. 400.142, F.S.; deleting language relating to agency adoption of rules; amending 400.147, F.S.; revising reporting requirements for licensed nursing home facilities relating to adverse incidents; repealing s. 400.148, F.S., relating to the Medicaid "Up-or-Out" Quality of Care Contract Management Program; amending s. 400.162, F.S., requiring nursing homes to provide a resident property statement annually and upon request; amending s. 400.179, F.S.; revising requirements for nursing home lease bond alternative fees; deleting an obsolete provision; amending s. 400.19, F.S.; revising inspection requirements; repealing s. 400.195, F.S., relating to agency reporting requirements; amending s. 400.23, F.S.; deleting an obsolete provision; clarifying a reference; amending s. 400.275, F.S.; revising agency duties with regard to training nursing home surveyor teams; revising requirements for team members; amending s. 400.484, F.S.; revising the schedule of home health agency inspection violations; amending s. 400.606, F.S.; revising the content requirements of

the plan accompanying an initial or change-of-ownership application for licensure of a hospice; revising requirements relating to certificates of need for certain hospice facilities; amending s. 400.607, F.S.; revising grounds for agency action against a hospice; amending s. 400.931, F.S.; deleting a requirement that an applicant for a home medical equipment provider license submit a surety bond to the agency; amending s. 400.932, F.S.; revising grounds for the imposition of administrative penalties for certain violations by an employee of a home medical equipment provider; amending s. 400.967, F.S.; revising the schedule of inspection violations for intermediate care facilities for the developmentally disabled; providing a penalty for certain violations; amending s. 400.9905, F.S.; providing that pt. X of ch. 400, F.S., the Health Care Clinic Act, does not apply to an entity owned by a corporation with a specified amount of annual sales of health care services under certain circumstances; amending s. 400.991, F.S.; conforming terminology; revising application requirements relating to documentation of financial ability to operate a mobile clinic; amending s. 408.034, F.S.; revising agency authority relating to licensing of intermediate care facilities for the developmentally disabled; amending s. 408.036, F.S.; deleting an exemption from certain certificate-of-need review requirements for a hospice or a hospice inpatient facility; amending s. 408.043, F.S.; revising requirements for certain freestanding inpatient hospice care facilities to obtain a certificate of need; amending s. 408.061, F.S.; revising health care facility data reporting requirements; amending s. 408.10, F.S.; removing agency authority to investigate certain consumer complaints; amending s. 408.802, F.S.; removing applicability of pt. II of ch. 408, F.S., relating to general licensure requirements, to private review agents; amending s. 408.804, F.S.; providing penalties for altering, defacing, or falsifying a license certificate issued by the agency or displaying such an altered, defaced, or falsified certificate; amending s. 408.806, F.S.; revising agency responsibilities for notification of licensees of impending expiration of a license; requiring payment of a late fee for a license application to be considered complete under certain circumstances; amending s. 408.810, F.S.; revising provisions relating to information required for licensure; requiring proof of submission of notice to a mortgagor or landlord regarding provision of services requiring licensure; requiring disclosure of information by a controlling interest of certain court actions relating to financial instability within a specified time period; amending s. 408.813, F.S.; authorizing the agency to impose fines for unclassified violations of pt. II of ch. 408, F.S.; amending s. 408.815, F.S.; authorizing the agency to extend a license expiration date under certain circumstances; amending s. 409.221, F.S.; deleting a reporting requirement relating to the consumer-directed care program; amending s. 429.07, F.S.; deleting the requirement for an assisted living facility to obtain an additional license in order to provide limited nursing services; deleting the requirement for the agency to conduct quarterly monitoring visits of facilities that hold a license to provide extended congregate care services; deleting the requirement for the department to report annually on the status of and recommendations related to extended congregate care; deleting the requirement for the agency to conduct monitoring visits at least twice a year to facilities providing limited nursing services; increasing the licensure fees and the maximum fee required for the standard license; increasing the licensure fees for the extended congregate care license; eliminating the license fee for the limited nursing services license; transferring from another provision of law the requirement that a biennial survey of an assisted living facility include specific actions to determine whether the facility is adequately protecting residents' rights; providing that an assisted living facility that has a class I or class II violation is subject to monitoring visits; requiring a registered nurse to participate in certain monitoring visits; amending s. 429.11, F.S.; revising licensure application requirements for assisted living facilities to eliminate provisional licenses; amending s. 429.12, F.S.; revising notification requirements for the sale or transfer of ownership of an assisted living facility; amending s. 429.14, F.S.; removing a ground for the imposition of an administrative penalty; clarifying language relating to a facility's request for a hearing under certain circumstances; authorizing the agency to provide certain information relating to the licensure status of assisted living facilities electronically or through the agency's Internet website; amending s. 429.17, F.S.; deleting provisions relating to the limited nursing services license; revising agency responsibilities regarding the issuance of conditional licenses; amending s.

429.19, F.S.; clarifying that a monitoring fee may be assessed in addition to an administrative fine; amending s. 429.23, F.S.; deleting reporting requirements for assisted living facilities relating to liability claims; amending s. 429.255, F.S.; eliminating provisions authorizing the use of volunteers to provide certain health-care-related services in assisted living facilities; authorizing assisted living facilities to provide limited nursing services; requiring an assisted living facility to be responsible for certain recordkeeping and staff to be trained to monitor residents receiving certain health-care-related services; amending s. 429.28, F.S.; deleting a requirement for a biennial survey of an assisted living facility, to conform to changes made by the act; amending s. 429.35, F.S.; authorizing the agency to provide certain information relating to the inspections of assisted living facilities electronically or through the agency's Internet website; amending s. 429.41, F.S., relating to rulemaking; conforming provisions to changes made by the act; amending s. 429.53, F.S.; revising provisions relating to consultation by the agency; revising a definition; amending s. 429.54, F.S.; requiring licensed assisted living facilities to electronically report certain data semiannually to the agency in accordance with rules adopted by the department; amending s. 429.71, F.S.; revising schedule of inspection violations for adult family-care homes; amending s. 429.911, F.S.; deleting a ground for agency action against an adult day care center; amending s. 429.915, F.S.; revising agency responsibilities regarding the issuance of conditional licenses; amending s. 483.294, F.S.; revising frequency of agency inspections of multiphasic health testing centers; amending s. 499.003, F.S.; removing a requirement that certain prescription drug purchasers maintain a separate inventory of certain prescription drugs; amending s. 499.01212, F.S.; exempting prescription drugs contained in sealed medical convenience kits from the pedigree paper requirements under specified circumstances; amending s. 633.081, F.S.; limiting Fire Marshal inspections of nursing homes to once a year; providing for additional inspections based on complaints and violations identified in the course of orientation or training activities; amending s. 766.202, F.S.; adding persons licensed under pt. XIV of ch. 468, F.S., to the definition of "health care provider"; amending ss. 394.4787, 400.0239, 408.07, 430.80, and 651.118, F.S.; conforming terminology and cross-references; revising a reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Natural Resources Appropriations Committee; Representative Poppell—

CS/HB 1385—A bill to be entitled An act relating to petroleum contamination site cleanup; amending s. 376.3071, F.S.; revising provisions relating to petroleum contamination site selection and cleanup criteria; deleting obsolete provisions relating to funding for limited interim soil-source removals; requiring the Department of Environmental Protection to utilize natural attenuation monitoring strategies to transition sites into long-term natural attenuation monitoring under specified conditions; providing for natural attenuation and active remediation of sites; requiring the department to evaluate certain costs and strategies; prohibiting local governments from denying building permits under specified conditions; providing requirements for such permits and related construction, repairs, and renovations; establishing a low-scored site initiative; providing conditions for participation; requiring the department to issue certain determinations and orders; providing that certain sites are eligible for payment of preapproved costs; requiring assessment work to be completed within a certain timeframe; providing payment and funding limitations; deleting provisions relating to nonreimbursable voluntary cleanup; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Natural Resources Appropriations Committee; and Agriculture & Natural Resources Policy Committee; Representatives Nelson and Mayfield—

CS/CS/HB 1445—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 373.1391, F.S.; requiring water management districts to give priority to the agricultural use of certain parcels for purposes of management of such parcels; amending s. 403.9336,

F.S.; revising a reference to the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes; amending s. 403.9337, F.S.; providing for amendment of the model ordinance by the Department of Environmental Protection; revising the criteria for a local government's adoption of additional or more stringent standards; providing exemptions; amending s. 493.6102, F.S.; specifying that provisions regulating security officers do not apply to certain law enforcement, correctional, and probation officers performing off-duty activities; amending s. 493.6105, F.S.; revising the application requirements and procedures for certain private investigative, private security, recovery agent, and firearm licenses; specifying application requirements for firearms instructor licenses; amending s. 493.6106, F.S.; revising citizenship requirements and documentation for certain private investigative, private security, and recovery agent licenses; prohibiting the licensure of applicants for a statewide firearm license or firearms instructor license who are prohibited from purchasing or possessing firearms; requiring that private investigative, security, and recovery agencies notify the Department of Agriculture and Consumer Services of changes to their branch office locations; amending s. 493.6107, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6108, F.S.; revising requirements for criminal history checks of license applicants whose fingerprints are not legible; requiring the investigation of the mental and emotional fitness of applicants for firearms instructor licenses; amending s. 493.6111, F.S.; requiring a security officer school or recovery agent school to obtain the department's approval for use of a fictitious name; specifying that a licensee may not conduct business under more than one fictitious name; amending s. 493.6113, F.S.; revising application renewal procedures and requirements; amending s. 493.6115, F.S.; conforming cross-references; amending s. 493.6118, F.S.; authorizing disciplinary action against statewide firearm licensees and firearms instructor licensees who are prohibited from purchasing or possessing firearms; amending s. 493.6121, F.S.; deleting provisions for the department's access to certain criminal history records provided to licensed gun dealers, manufacturers, and exporters; amending s. 493.6202, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6203, F.S.; prohibiting bodyguard services from being credited toward certain license requirements; revising the training requirements for private investigator intern license applicants; requiring the automatic suspension of an intern's license under certain circumstances; providing an exception; amending s. 493.6302, F.S.; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6303, F.S.; revising the training requirements for security officer license applicants; amending s. 493.6304, F.S.; revising application requirements and procedures for security officer school licenses; amending s. 493.6401, F.S.; revising terminology for recovery agent schools and training facilities; amending s. 493.6402, F.S.; revising terminology for recovery agent schools and training facilities; requiring the department to accept certain methods of payment for certain fees; amending s. 493.6406, F.S.; revising terminology; requiring recovery agent school and instructor licenses; providing license application requirements and procedures; amending ss. 501.605 and 501.607, F.S.; revising application requirements for commercial telephone seller and salesperson licenses; amending s. 501.913, F.S.; specifying the sample size required for antifreeze registration application; amending s. 525.01, F.S.; revising requirements for petroleum fuel affidavits; amending s. 525.09, F.S.; imposing an inspection fee on certain alternative fuels containing alcohol; amending s. 526.50, F.S.; defining terms applicable to regulation of the sale of brake fluid; amending s. 526.51, F.S.; revising brake fluid permit application requirements; amending s. 526.52, F.S.; revising requirements for printed statements on brake fluid containers; amending s. 526.53, F.S.; revising requirements and procedures for brake fluid stop-sale orders; authorizing businesses to dispose of unregistered brake fluid under certain circumstances; amending s. 527.0201, F.S.; revising requirements for liquefied petroleum gas qualifying examinations; increasing continuing education requirements for certain liquefied petroleum gas qualifiers; amending s. 527.12, F.S.; providing for the issuance of certain stop orders; amending ss. 559.805 and 559.928, F.S.; deleting social security numbers as a listing requirement on registration affidavits for independent agents of sellers of business opportunities; amending s. 570.0725, F.S.; revising provisions for public information about food banks and similar food recovery programs;

authorizing the department to adopt rules; amending ss. 570.53 and 570.54, F.S.; conforming cross-references; amending s. 570.55, F.S.; revising requirements for identifying sellers or handlers of tropical or subtropical fruit or vegetables; amending s. 570.902, F.S.; conforming terminology to the repeal by the act of provisions establishing the Florida Agricultural Museum; amending s. 570.903, F.S.; revising provisions for direct-support organizations for certain agricultural programs to conform to the repeal by the act of provisions establishing the Florida Agricultural Museum; deleting provisions for a direct-support organization for the Florida State Collection of Arthropods; amending s. 573.118, F.S.; requiring the department to maintain records of marketing orders; requiring an audit at the request of an advisory council; requiring that the advisory council receive a copy of the audit within a specified time; amending s. 581.011, F.S.; deleting terminology relating to the Florida State Collection of Arthropods; revising the term "nursery" for purposes of plant industry regulations; amending s. 581.211, F.S.; increasing the maximum fine for violations of plant industry regulations; amending s. 583.13, F.S.; deleting a prohibition on the sale of poultry without displaying the poultry grade; amending s. 590.125, F.S.; revising terminology for open burning authorizations; specifying purposes of certified prescribed burning; requiring the authorization of the Division of Forestry for certified pile burning; providing pile burning requirements; limiting the liability of property owners or agents engaged in pile burning; providing for the certification of pile burners; providing penalties for violations by certified pile burners; requiring rules; authorizing the division to adopt rules regulating certified pile burning; revising notice requirements for wildfire hazard reduction treatments; providing for approval of local government open burning authorization programs; providing program requirements; authorizing the division to close local government programs under certain circumstances; providing penalties for violations of local government open burning requirements; amending s. 590.14, F.S.; authorizing fines for violations of any division rule; providing penalties for certain violations; providing legislative intent; amending s. 599.004, F.S.; revising standards that a winery must meet to qualify as a certified Florida Farm Winery; amending s. 604.15, F.S.; revising the term "agricultural products" to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; defining the term "responsible position"; amending s. 604.19, F.S.; revising requirements for late fees on agricultural products dealer applications; amending s. 604.25, F.S.; revising conditions under which the department may deny, refuse to renew, suspend, or revoke agricultural products dealer licenses; deleting a provision prohibiting certain persons from holding a responsible position with a licensee; amending s. 616.242, F.S.; authorizing the issuance of stop-operation orders for amusement rides under certain circumstances; amending s. 686.201, F.S.; exempting contracts involving a seller of travel from requirements for certain sales representative contracts; amending s. 790.06, F.S.; authorizing a concealed firearm license applicant to submit fingerprints administered by the Division of Licensing; repealing ss. 570.071 and 570.901, F.S., relating to the Florida Agricultural Exposition and the Florida Agricultural Museum; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Education Policy Council; Full Appropriations Council on Education & Economic Development; and PreK-12 Policy Committee; Representatives Legg, Mayfield, and Van Zant—

CS/CS/HB 7053—A bill to be entitled An act relating to education accountability; amending s. 1003.413, F.S., relating to secondary school redesign, to delete obsolete provisions and to conform to changes made by the act; amending s. 1003.4156, F.S.; revising requirements for middle grades promotion; providing that successful completion of a high school level Algebra I, geometry, or Biology I course is not contingent upon a student's performance on the end-of-course assessment; requiring a student to pass the end-of-course assessment to earn high school credit for such courses; specifying information that must be provided to students as part of the personalized academic and career plan; amending s. 1003.428, F.S.; revising requirements for high school graduation; requiring students entering grade 9 in

specified school years to meet end-of-course assessment requirements and revised credit requirements in mathematics and science for high school graduation; requiring district school board standards for grades in certain courses; providing for waiver of end-of-course assessment results for the purpose of determining a course grade and credit for students with disabilities; amending s. 1003.429, F.S.; revising requirements for accelerated high school graduation options; updating cross-references; requiring students entering grade 9 in specified school years to meet end-of-course assessment requirements and revised credit requirements in mathematics and science for high school graduation; requiring district school board standards for grades in certain courses; creating s. 1003.4295, F.S.; requiring high schools to advise students of, and offer, acceleration courses; creating the Credit Acceleration Program; amending s. 1003.493, F.S., relating to career and professional academies, to conform to changes made by the act; amending s. 1007.35, F.S., relating to the Florida Partnership for Minority and Underrepresented Student Achievement, to conform to changes made by the act; amending s. 1008.22, F.S.; revising the statewide student achievement testing program; requiring end-of-course assessments in mathematics and science to replace FCAT Mathematics and FCAT Science beginning with students entering grade 9 in specified school years; providing requirements for the administration of, and student performance on, statewide, standardized end-of-course assessments in mathematics and science; providing for establishment of an implementation schedule to develop and administer end-of-course assessments in certain courses; requiring evaluation and reporting of the transition to specified end-of-course assessments; requiring the use of scaled scores and student achievement levels for describing student success on assessments; requiring the State Board of Education to designate passing scores for end-of-course assessments and scores that indicate high achievement; providing requirements for retaking specified assessments; providing for waiver of end-of-course assessment requirements for students in exceptional education programs and students who have limited English proficiency; revising provisions relating to testing and reporting schedules; requiring that the Commissioner of Education consider the observance of religious and school holidays when establishing the schedules for the administration of statewide assessments; conforming provisions and cross-references; authorizing the State Board of Education to adopt concordant scores for the FCAT and equivalent scores for end-of-course assessments; deleting retake requirements for use of concordant scores; providing requirements for use of equivalent scores; amending s. 1008.25, F.S., relating to public school student progression, to conform to changes made by the act; amending s. 1008.30, F.S., relating to the common placement test, to conform to changes made by the act; amending s. 1008.34, F.S.; revising provisions that specify the basis for determining school grades to include student performance on end-of-course assessments and to conform provisions to current FCAT assessments; amending s. 1008.341, F.S.; revising provisions that specify the basis for determining an alternative school's school improvement rating to include student performance on end-of-course assessments; amending s. 1008.36, F.S.; revising provisions relating to the use of school recognition awards; requiring that the Office of Program Policy Analysis and Government Accountability conduct a study on the different types of high school diplomas offered in other states; requiring that the study be submitted to the Governor and the Legislature by a specified date; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health Care Appropriations Committee; and Health Care Regulation Policy Committee; Representative N. Thompson—

CS/HB 7183—A bill to be entitled An act relating to the reorganization of the Department of Health; amending s. 20.43, F.S.; revising the mission and responsibilities of the department; providing duties of the State Surgeon General with respect to management of the department; abolishing responsibility to regulate health practitioners effective July 1, 2011; abolishing specified divisions of the department effective July 1, 2011, unless reviewed and reenacted by the Legislature; authorizing the department to establish multicounty service areas for county health departments; requiring

the department to submit a reorganization plan to the Legislature by a specified date; prohibiting the department from establishing new programs or modifying current programs without legislative approval; requiring the department to seek approval from the Legislative Budget Commission for certain activities; providing that the request for approval is subject to certain notice, review, and objection procedures; amending s. 381.0011, F.S.; revising duties and powers of the department; requiring the department to manage emergency preparedness and disaster response functions; authorizing the department to issue health alerts or advisories under certain conditions; revising rulemaking authority of the department; amending s. 381.006, F.S.; revising the definition of the term "group care facility"; amending s. 381.0072, F.S.; revising the definition of the term "food service establishment"; authorizing the department to advise and consult with other agencies relating to the provision of food services; revising entities that are exempt from rules relating to standards for food service establishment manager certification; amending s. 381.0101, F.S.; revising the definition of the term "primary environmental health program"; repealing s. 381.001, F.S., relating to legislative intent with respect to the state's public health system; repealing s. 381.04015, F.S., relating to the Women's Health Strategy; repealing s. 401.243, F.S., relating to the department's injury prevention program; repealing ss. 411.23, 411.231, and 411.232, F.S., relating to the Children's Early Investment Act; amending s. 381.4018, F.S.; providing definitions; revising the list of governmental stakeholders that the department is required to work with regarding the state strategic plan and in assessing the state's physician workforce; creating the Physician Workforce Advisory Council; providing for appointments, membership, terms, and duties of the council; providing that council members are not entitled to receive compensation or reimbursement for per diem or travel expenses; providing the duties of the council; amending s. 392.51, F.S.; revising legislative intent with respect to the delivery of tuberculosis control services; amending s. 392.69, F.S.; requiring the department to develop a plan to provide tuberculosis services; requiring the department to submit the plan to the Governor and Legislature; amending ss. 411.01 and 411.224, F.S.; conforming cross-references; amending ss. 458.3192 and 459.0082, F.S.; requiring the department to determine by geographic area and specialty the number of physicians who plan to relocate outside the state, practice medicine in this state, and reduce or modify the scope of their practice; authorizing the department to include additional information in its report to the Governor and Legislature; amending s. 499.01, F.S.; creating an exemption from device manufacturer permits for certain persons; amending s. 499.01212, F.S.; exempting specified prescription drugs from pedigree paper requirements under certain circumstances; amending s. 499.029, F.S.; renaming the Cancer Drug Donation Program as the Prescription Drug Donation Program; revising definitions; expanding the drugs and supplies that may be donated under the program; expanding the types of facilities and practitioners that may participate in the program; conforming provisions to changes in terminology; amending s. 509.013, F.S.; revising the definitions of the terms "public lodging establishment" and "public food establishment"; transferring and reassigning certain functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources, from the Department of Health to the Department of Business and Professional Regulation by a type two transfer; providing for the continued validity of pending judicial or administrative actions to which the Department of Health is a party; providing for the continued validity of lawful orders issued by the Department of Health; transferring rules created by the Department of Health to the Department of Business and Professional Regulation; providing for the continued validity of permits and certifications issued by the Department of Health; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Education Policy Council; and PreK-12 Policy Committee; Representative Legg—

CS/HB 7189—A bill to be entitled An act relating to education personnel; amending s. 39.202, F.S.; authorizing the release of child abuse records to certain employees and agents of the Department of Education; amending s.

447.403, F.S.; deleting a provision that provides for an expedited impasse hearing for disputes involving the Merit Award Program plan to conform to changes made by the act; amending s. 1002.33, F.S.; requiring a charter school to adopt a salary schedule for instructional personnel and school-based administrators which meets certain requirements; providing that charter schools must meet certain requirements for end-of-course assessments, performance appraisals, and certain contracts; deleting a cross-reference to conform to changes made by the act; requiring that the Commissioner of Education review certain charter schools for compliance with the requirements for a salary schedule, assessments, and contracts; requiring a specified funding adjustment to be imposed against a charter school that is not in compliance; amending s. 1003.52, F.S.; deleting a cross-reference to conform to changes made by the act; repealing s. 1003.62, F.S., relating to academic performance-based charter school districts; amending s. 1003.621, F.S.; providing additional requirements for personnel in academically high-performing school districts; repealing s. 1003.63, relating to the deregulated public schools pilot program; amending s. 1004.04, F.S.; revising the criteria for continued approval of teacher preparation programs to include student learning gains; deleting the waiver of admissions criteria for certain students; deleting the criterion relating to employer satisfaction; revising the requirements for a teacher preparation program to provide additional training to a graduate who fails to demonstrate essential skills; deleting a provision that requires state-approved teacher preparation programs and public and private institutions offering training for school-readiness-related professions to report graduate satisfaction ratings; revising the requirements for preservice field experience programs; repealing s. 1004.04(11) and (12), F.S., relating to the Preteacher and Teacher Education Pilot Programs and the Teacher Education Pilot Programs for High-Achieving Students; amending s. 1004.85, F.S.; revising the requirements for individuals who participate in programs at postsecondary educator preparation institutes; revising the requirements for approved alternative certification programs and instructors; creating s. 1008.222, F.S.; requiring school districts to develop and implement end-of-course assessments; requiring a review of assessments by the Commissioner of Education; amending s. 1009.40, F.S.; deleting cross-references to conform to changes made by the act; repealing s. 1009.54, F.S., relating to the Critical Teacher Shortage Program; repealing s. 1009.57, F.S., relating to the Florida Teacher Scholarship and Forgivable Loan Program; repealing s. 1009.58, F.S., relating to the Critical Teacher Shortage Tuition Reimbursement Program; repealing s. 1009.59, F.S., relating to the Critical Teacher Shortage Student Loan Forgiveness Program; amending s. 1009.94, F.S.; deleting cross-references to conform to changes made by the act; creating s. 1011.626, F.S.; providing legislative findings and intent; creating the Performance Fund for Instructional Personnel and School-Based Administrators; providing for calculation of the fund amount; providing for distribution of funds to districts and specifying purposes for which funds may be expended; providing for reversion of unexpended funds; specifying that salary increases from these funds are in addition to other salary adjustments; specifying requirements for individuals paid from federal grants; requiring that each district school board submit its district adopted salary schedule and certain assessments to the Commissioner of Education for review; requiring that the commissioner determine compliance with requirements applicable to the schedules and assessments; requiring a review by the Auditor General of certain classroom teacher contracts; requiring that the Commissioner of Education notify the Governor and Legislature of school districts that fail to comply with salary schedule, assessment, and contract requirements; requiring a specified funding adjustment to be imposed against a school district for such failure to comply; requiring that the State Board of Education adopt rules; amending s. 1011.69, F.S.; deleting a provision that exempts academic performance-based charter school districts from the Equity in School-Level Funding Act to conform to changes made by the act; amending s. 1012.05, F.S.; revising the Department of Education's responsibilities for teacher recruitment; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; deleting cross-references to conform to changes made by the act; amending s. 1012.22, F.S.; revising the powers and duties of the district school board with respect to school district compensation and salary schedules; requiring that certain performance criteria be included in the adopted schedules; revising the differentiated pay provisions; repealing s.

1012.225, F.S., relating to the Merit Award Program for Instructional Personnel and School-Based Administrators; repealing s. 1012.2251, F.S., relating to the end-of-course examinations for the Merit Award Program; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain educational personnel; requiring a district school board's decision to retain personnel who have continuing contracts or professional service contracts to be primarily based on the employee's performance; deleting requirements that school board decisions for workforce reductions be based on collective bargaining agreements; deleting requirements for district school board rules for workforce reduction; creating s. 1012.335, F.S.; providing definitions; providing employment criteria for newly hired classroom teachers; providing grounds for termination; requiring that the State Board of Education adopt rules defining the term "just cause"; providing guidelines for such term; amending s. 1012.34, F.S.; revising provisions related to the appraisal of instructional personnel and school-based administrators; requiring that the Department of Education approve school district appraisal instruments; requiring the Department of Education to collect appraisal information from school districts and to report such information to the Governor and the Legislature; providing requirements for appraisal systems; authorizing an employee to request that a district school superintendent review an unsatisfactory performance appraisal; conforming provisions to changes made by the act; amending s. 1012.42, F.S.; prohibiting a district school board from assigning a new teacher to teach reading, science, or mathematics if he or she is not certified in those subject areas; repealing s. 1012.52, F.S., relating to legislative intent for teacher quality; amending s. 1012.56, F.S.; revising the certification requirements for persons holding a valid professional standard teaching certificate issued by another state; providing additional means of demonstrating mastery of professional preparation and education competence; requiring that the State Board of Education review the current subject area examinations and increase the scores necessary for achieving certification; authorizing the State Board of Education to adopt rules to allow certain college credit to be used to meet certification requirements; amending s. 1012.585, F.S.; providing for future expiration of provisions governing certification of teachers who hold national certification; revising the renewal requirements for a professional certificate; providing additional requirements that must be met in order to renew the certificate; requiring that the State Board of Education adopt rules for the renewal of a certificate held by a certificateholder who has not been evaluated under s. 1012.34, F.S.; amending s. 1012.72, F.S.; limiting bonuses under the Dale Hickam Excellent Teaching Program to individuals who remain continuously employed in a public school in this state or the Florida School for the Deaf and the Blind; amending s. 1012.79, F.S.; revising the composition of the Education Practices Commission; conforming provisions to changes made by the act; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; requiring that the Department of Education submit a report on the cost-effectiveness of teacher preparation programs to the Governor and the Legislature by a specified date; specifying the report requirements; requiring that the Office of Program Policy Analysis and Government Accountability submit recommendations to the Legislature relating to changes in the criteria for the continued approval of teacher preparation programs; authorizing school districts to seek an exemption from the State Board of Education from the requirement of certain laws; authorizing the State Board of Education to adopt rules; providing for severability; providing for application of a specified provision of the act; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Reference

CS/HB 107—Referred to the Government Operations Appropriations Committee and General Government Policy Council.

CS/HB 417—Referred to the Full Appropriations Council on Education & Economic Development and Economic Development & Community Affairs Policy Council.

CS/HB 645—Referred to the Health & Family Services Policy Council and Economic Development & Community Affairs Policy Council.

CS/HB 845—Referred to the Policy Council and General Government Policy Council.

CS/CS/HB 1143—Referred to the Health & Family Services Policy Council.

CS/HB 1243—Referred to the Full Appropriations Council on Education & Economic Development.

CS/CS/HB 7053—Referred to the Calendar of the House.

CS/HB 7189—Referred to the Calendar of the House.

HB 7205—Referred to the Full Appropriations Council on Education & Economic Development.

HR 9057—Referred to the Calendar of the House.

Cosponsors

HB 7—Dorworth

HB 9—Long, Waldman

CS/HB 107—Porth

HB 309—Cruz

CS/HB 341—Burgin

HB 477—Porth

HB 547—Long

HM 1459—Waldman

HM 1583—Flores, Proctor

HCR 8003—Waldman

Reports of Standing Councils and Committees

Received April 2:

The Agriculture & Natural Resources Policy Committee reported the following favorably:

HB 207 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 207 was laid on the table.

The Economic Development & Community Affairs Policy Council reported the following favorably:

HB 265 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 265 was laid on the table.

The Health Care Appropriations Committee reported the following favorably:

CS/HB 1143 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 1143 was laid on the table.

The Natural Resources Appropriations Committee reported the following favorably:

HB 1385 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 1385 was laid on the table.

The Rules & Calendar Council reported the following favorably:
CS/HB 1517

The above council substitute was placed on the Calendar of the House.

Received April 5:

The Natural Resources Appropriations Committee reported the following favorably:

CS/HB 1445 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 1445 was laid on the table.

The Education Policy Council reported the following favorably:
CS/HB 7053 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 7053 was laid on the table.

The Health Care Appropriations Committee reported the following favorably:

HB 7183 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 7183 was laid on the table.

The Education Policy Council reported the following favorably:
HB 7189 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 7189 was laid on the table.

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. O'Toole:

Yeas—April 1: 645, 660

Rep. Saunders:

Yeas—April 1: 649

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